

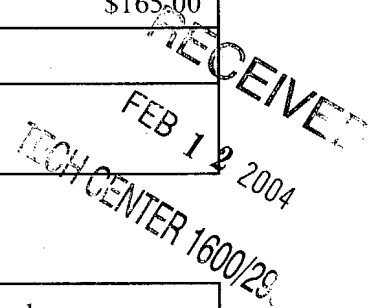
NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Attorney Docket No.: UCSD1140-1

In re Application of: Barton et al.	
Application No: 09/889,251	Filed: November 1, 2001
For: METHODS OF TREATMENT OF MITOCHONDRIAL DISORDERS	
Group Art Unit: 1614	Examiner: Spivack, P.

Applicants hereby appeal to the Board of Appeals from the decision dated August 5, 2003 of the Examiner rejecting claims 1-6, 8-27, and 66.

1.	<input checked="" type="checkbox"/>	Appeal Fee (37 C.F.R. 1.17(b))	
		other than small entity	\$330.00
	<input checked="" type="checkbox"/>	small entity	\$165.00
		verified statement attached	
		verified statement previously filed on _____ in U.S. Application No. _____	



2.	<input checked="" type="checkbox"/>	A petition and fee for an extension of time for reply to the rejection is attached.					
		Extension Fee (37 C.F.R. 1.17(a))					
		other than small entity					
		\$110.00	\$420.00	\$950.00	\$1,480.00		
	<input checked="" type="checkbox"/>	small entity					
		verified statement attached					
		verified statement previously filed on _____ in U.S. Application No. _____					
		\$55.00	\$210.00	<input checked="" type="checkbox"/>	\$475.00	\$740.00	

02/10/2004 DTESS1 00000134 09889251
02 FC:2401 165.00 OP

In the Application of
Robert K. Naviaux
Application Serial No.: 09/889,251
Filed: November 1, 2001
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3.	<input checked="" type="checkbox"/>	A check for the sum of \$640.00 is enclosed (\$165.00 Notice of Appeal filing fee and \$475.00 for a Three (3) Month Extension of Time).
4.	<input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees associated with the filing submitted herewith, or credit any overpayment, to Deposit Account No. 50-1355. A copy of the Transmittal Sheet is enclosed.

2/5/04
Date

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CERTIFICATION UNDER 37 CFR 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date February 5, 2004, addressed to: Mail Stop: AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Cara Grifone

(Name of person mailing paper)

Cara Grifone
Signature

February 5, 2004
Date